

Message Text

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PAGE 01 GENEVA 05629 151516Z

44

ACTION ACDA-10

INFO OCT-01 ARA-06 EUR-12 EA-07 IO-13 ISO-00 ACDE-00 AF-08

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NASA-01 NEA-10

NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01 OES-06 SS-15

USIA-06 SAJ-01 /123 W

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P R 151417Z JUL 76

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 1197

INFO AMEMBASSY BONN

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USUN NEWYORK 3305

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ERDA HQ WASHDC

ERDA GERMANTOWN MD

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E.O. 11652: N/A

TAGS: PARM, CCD

SUBJECT: CCD - ENMOD WORKING GROUP MEETING, JULY 14, 1976

REF: GENEVA 5535

1. SUMMARY: IN CCD WORKING GROUP ON ENMOD DRAFT CONVENTION, NETHERLANDS AND SWEDEN INTRODUCED REVISED VERSION OF ARTICLE V (COMPLAINTS PROCEDURE). UK SUBMITTED NEW ARTICLE PROVIDING FOR REVIEW CONFERENCES. U.S. AND USSR DEFENDED EXISTING ARTICLE I

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PAGE 02 GENEVA 05629 151516Z

(SCOPE OF BAN), WHICH WAS ATTACKED BY ARGENTINA. END SUMMARY.

2. IN THIRD MEETING OF CCD'S INFORMAL WORKING GROUP ON DRAFT ENVIRONMENTAL MODIFICATION CONVENTION, NETHERLANDS AND SWEDEN INTRODUCED AND EXPLAINED PROPOSED REVISION TO ARTICLE V (REFTEL). ARGENTINA, FRG, AND UK EXPRESSED GENERAL SUPPORT FOR PROPOSAL, YUGOSLAVIA CRITICIZED PROVISION GUARANTEEING MEMBERSHIP OF SECURITY COUNCIL PERMANENT MEMBERS IN CONSULTATIVE COMMISSION. INDIA ASKED CRITICAL QUESTIONS AND RESERVED POSITION BOTH ON SUBSTANCE AND PRINCIPLE OF PROPOSAL. DETAILED CONSIDERATION OF PROPOSAL WAS DEFERRED TO ARTICLE V'S NORMAL SEQUENCE IN COURSE OF SECOND READING.

3. UK SUBMITTED DRAFT OF ADDITIONAL ARTICLE ON REVIEW CONFERENCES; DISCUSSION OF THIS PROPOSAL WAS ALSO DEFERRED. (TEXT PROVIDED AT END OF THIS CABLE.)

4. WORKING GROUP AGREED TO DEFER FURTHER CONSIDERATION OF PRE-ABMLE AS REVISED BY U.S. AND USSR, WITH SEVERAL DELS, NOTABLY INDIA, ROMANIA, AND ARGENTINA, MAKING CLEAR THEY DID NOT CONSIDER PREAMBULAR ISSUED TO BE RESOLVED.

5. MARTIN (US) BEGAN SECOND READING OF ARTICLE I WITH LENGTHY DEFENSE OF PRESENT TEXT, INCLUDING IN PARTICULAR SCOPE OF CONVENTION AS EXPRESSED BY ITS PROHIBITION OF TECHNIQUES "HAVING WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS." HE STRESSED IMPORTANCE TO U.S. OF RETAINING THESE TERMS AND URGED CRITICS TO FOCUS ON SEEKING GENERALLY ACCEPTABLE DEFINITIONS RATHER THAN CALLING FOR DELETION OF THE PHRASE. MARTIN ALSO REITERATED U.S. VIEWS ON DESIRABILITY OF RETAINING PHRASE "MILITARY OR ANY OTHER HOSTILE USE" AND LIMITATION OF APPLICABILITY TO ACTIONS AGAINST OTHER STATES PARTY. IN ADDITION, HE EXPRESSED U.S. RESERVATIONS CONCERNING VALUE OF SPECIFIC REFERENCE TO TECHNIQUES THAT "MAY BE EXPECTED TO HAVE" THE PROSCRIBED EFFECTS AND OF PROHIBITION OF THREAT.

6. BERASATEGUI (ARGENTINA) RESPONDED SHARPLY TO MARTIN'S DEFENSE, STATING THAT ARGENTINA'S OBJECTIONS TO "WIDESPREAD, LONG-LASTING, OR SEVERE" PHRASE HAD NOT BEEN SATISFIED AND INSISTING THAT RETENTION OF THE WORDS MUST NOT BE MADE ABSOLUTE REQUIREMENT. HE SAID THAT SCOPE WAS REAL ISSUE AND THAT IF CO-SPONSORS OF DRAFT WERE PREPARED TO CONSIDER OTHER MEANS OF SETTING A SUITABLE SCOPE, LIMITED OFFICIAL USE

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PAGE 03 GENEVA 05629 151516Z

QUESTION OF PRECISE PHRASING OF SCOPE SHOULD NOT BE MADE AN INSURMOUNTABLE PROBLEM.

7. LIKHATCHEV (USSR), IN BRIEF STATEMENT, ALSO DEFENDED PRESENT TEXT OF ARTICLE I AND CONFIRMED FOR FIRST TIME PUBLICLY THAT SOVIET SIDE SHARED INTERPRETATION OF WIDESPREAD, LONG-LASTING, OR SEVERE AS STATED BY MARTIN IN APRIL 20 PLENARY STATEMENT.

8. FOLLOWING IS TEXT OF UK PROPOSAL ON REVIEW CONFERENCES:

"1. SUBJECT TO THE PROVISIONS OF PARAGRAPH 2 OF THIS ARTICLE,
IF A MAJORITY OF THE STATES PARTY TO THIS CONVENTION SO REQUEST
BY A PROPOSAL IN WRITING ADDRESSED TO THE CONSULTATIVE COMMISSION,
A CONFERENCE OF STATES PARTIES TO THE CONVENTION SHALL BE HELD
AT GENEVA, SWITZERLAND, TO REVIEW THE OPERATION OF THE CONVENTION,
WITH A VIEW TO ASSURING THAT THE PURPOSES OF THE PREAMBLE AND THE
PROVISIONS OF THE CONVENTION, INCLUDING THOSE COVERING THE
OPERATION OF THE CONSULTATIVE COMMISSION, ARE BEING REALIZED.

"2. SUCH A CONFERENCE SHALL NOT TAKE PLACE EARLIER THAN (3) YEARS
AFTER ENTRY INTO FORCE OF THE CONVENTION OR THEREAFTER AT INTER-
VALS OF LESS THAN (3) YEARS. IF HOWEVER NO CONFERENCE HAS BEEN
REQUESTED WHEN (8) YEARS HAVE ELAPSED AFTER THE ENTRY INTO FORCE
OF THE CONVENTION OR AFTER A PREVIOUS CONFERENCE, THE CONSULTATIVE
COMMISSION SHALL CONVENE SUCH A CONFERENCE."

9. NEXT ENMOD WORKING GROUP MEETING FRIDAY, JULY 16.

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, AGREEMENTS, ENVIORNMENT, AMENDMENTS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 15 JUL 1976
Decapton Date: 01 JAN 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976GENEVA05629
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760273-0280
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760756/aaaabxdn.tel
Line Count: 135
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ACDA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 GENEVA 5535
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 12 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 APR 2004 by greeneet>; APPROVED <13 APR 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CCD - ENMOD WORKING GROUP MEETING, JULY 14, 1976
TAGS: PARM, CCD
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006